



**BRIGHT FROM THE START**  
Georgia Department of Early Care and Learning  
10 Park Place, Suite 200, Atlanta, Georgia 30303  
(404) 656-5957

**Sonny Perdue**  
GOVERNOR

**Holly A. Robinson, Ed.D.**  
COMMISSIONER

January 28, 2009

**CERTIFIED MAIL #7007 0220 0004 0730 1308 AND REGULAR MAIL**

Ms. Felissa Dunton  
Family Day Care Home  
5909 Wellborn Trails Court  
Lithonia, Georgia 30038

**RE: Notice of Revocation**

Dear Ms. Dunton:

On September 30, 2008, Bright from the Start imposed a civil penalty in the amount of \$299.00 based on your history of repeat non-compliance. Payment of the civil penalty was expected within thirty (30) days of receipt of the Notice, the civil penalty has not been paid. The civil penalty is attached and marked as Exhibit "B". An office conference was conducted with you on February 26, 2008, to discuss the violations and your improvement actions. During the on-site visit made on October 22, 2008, it was determined that rule violations previously cited continued to exist. The rule violations which were previously cited on June 26, 2007, January 25, 2008, and April 9, 2008, jeopardized the health and safety of children in care. It was determined during the on-site visit made on October 22, 2008, that serious rule violations continued to exist which affect the health and safety of the children in care and demonstrated an intentional and/or reckless disregard for the physical and mental health and safety of the children in care. The rule violations are marked as Exhibit "A" and incorporated in this Notice by reference.

Based on your noncompliance with Rules and Regulations, you are hereby notified that your Certificate of Registration to operate a family day care home is revoked. Bright from the Start's legal authority for revoking the registration is found in O.C.G.A. Sections 20-1A-12 (c)(5) and 20-1A-12 (b)(2), and Bright from the Start Rules and Regulations for Family Day Care Homes, Chapter 290-2-3 of the Official Compilation Rules and Regulations of the State of Georgia.

In accordance with O.C.G.A. Section 20-1A-10 (o), this revocation becomes effective thirty (30) days from receipt of this Notice. You have the right to appeal the decision to revoke your Certificate of Registration by filing a written request for an administrative hearing before an Administrative Law Judge with the Office of State Administrative Hearings. The request must be made in writing within ten (10) days of receipt of this Notice and addressed to:

**J. Ashley Peacock**  
**Legal Services Manager**  
**Bright from the Start**  
**Georgia Department of Early Care and Learning**  
**10 Park Place South, Suite 200**  
**Atlanta, Georgia 30303**

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A hearing request stays or suspends the revocation.

If you do not appeal this action within (10) days of this Notice, the decision to revoke the Certificate of Registration will be final. Licensure staff will conduct a follow-up visit to verify closure.

Sincerely,

Justine Strickland  
Assistant Commissioner for Child Care Services

JS/rt  
Attachments

cc: Justine Strickland  
J. Ashley Peacock  
Mona Jackson  
Errol Briggs  
Walker Solomon  
Jackie Romain  
Janet Goggins  
Renee Parlier  
Rukiya Thomas  
State file

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List of Rule Violations for:

Ms. Felissa Dunton  
5909 Wellborn Trails Court  
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**Rule 290-2-3-.04(2)** requires a person caring for more than six children for pay make application for a license to operate a Group Day Care Home or a Day Care Center.

During a monitoring visit conducted on October 22, 2008, the consultant observed four children present in care at the family day care home. Based on the provider's statement, it was determined that the provider had eleven children in care for pay during afternoon hours. The provider exceeded the maximum capacity of the family day care home by five children.

This rule violation was previously cited on January 25, 2008, and April 9, 2008.

The repeated failure of the provider in not reducing to six children for pay placed the children at risk for potential harm.

**Rule 290-2-3-11(2) (f)** requires that poisons, medicines, cleaning and other hazardous materials be in locked areas or inaccessible to children.

During a monitoring visit conducted on October 22, 2008, the consultant observed that the children had access to hazardous items such as empty beer cans and cigarette ashes in an open trash can.

This rule violation was previously cited on June 26, 2007, January 25, 2008, and April 9, 2008.

The repeated failure of the provider to maintain this requirement placed the children at risk for potential harm.

**Rule 290-2-3-.11(l)(k)** requires that animals be properly vaccinated and documentation of vaccinations maintained.

During a monitoring visit on October 22, 2008, the consultant determined that the provider did not have documentation of vaccinations for one of two dogs in the home.

This rule violation was previously cited on June 26, 2007, January 25, 2008, and April 9, 2008.

The repeated failure of the provider to maintain this requirement placed the children in care at risk of potential harm.

**Rule 290-2-3-.04(2)(a)(2)** requires the provider to submit a criminal record check application to the Department for any adult who resides at the home or who, with or without compensation performs duties at the home which include personal contact between that adult person and children in care.

During a monitoring visit conducted on October 22, 2008, it was determined that the provider did not have a criminal record check for an adult that was present in the home and had access to the children.

This rule violation was previously cited on June 26, 2007, January 25, 2008, and April 9, 2008.

The repeated failure of the provider to maintain this requirement placed the children in care at risk of potential harm.

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**Rule 290-2-3-.08(1)(a)** requires the family day care home to maintain a file for each child that includes the child's name, birth date, parents name, home and business addresses and telephone numbers.

During a monitoring visit conducted on October 22, 2008, it was determined based on a review of enrollment records that the provider failed to maintain complete enrollment records for ten of eleven children enrolled.

This rule violation was previously cited on January 25, 2008, and April 9, 2008.

The failure of the provider to maintain updated records placed children at risk of harm.

**Rule 290-2-3-.08(1)(c)** requires that the family day care home maintain a file for each child that includes evidence of age appropriate immunizations or a signed affidavit against such immunizations.

During a monitoring visit conducted on October 22, 2008, it was determined that the provider failed to maintain current immunization for one of eleven children in care.

This rule violation was previously cited on June 26, 2007, January 25, 2008, and April 9, 2008.

The failure of the provider to maintain updated records placed children at risk of harm.

**Rule 290-2-3-.08 (1)(i)** requires the family day care home to maintain a file for each child that contains the names(s) of the person(s) to whom the child may be released.

During a monitoring visit conducted on October 22, 2008, it was determined based on a review of enrollment records that the provider failed to maintain release information for two of eleven children enrolled.

This rule violation was previously cited on January 25, 2008, and April 9, 2008.

The failure of the provider to maintain updated records placed children at risk of harm.

**Rule 290-2-3-.08 (1)(d)** requires the family day care home to maintain current and updated written authorization for children to receive emergency medical treatment when the parent is not available.

During a monitoring visit conducted on October 22, 2008, it was determined that the provider failed to maintain this information for two of eleven children in care.

This rule violation was previously cited on June 26, 2007, January 25, 2008, and April 9, 2008.

The failure of the provider to maintain updated records placed children at risk of harm.

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**Rule 290-2-3-.10(5)** requires that infant formula bottles be labeled with the child's name.

During a monitoring visit conducted on October 22, 2008, it was determined that bottles of formula were not labeled.

This rule violation was previously cited on June 26, 2007, January 9, 2008 and April 9, 2008.

The failure of the provider to label bottles placed children at risk.

**Rule 290-3-.19** requires that cribs have a tight-fitting bottom sheet and prohibits the use of pillows, quilts, comforters, bumper pads, sheepskins, stuffed toys or other soft items in the crib.

**AND**

**Rule 290-2-3-.12(2)** requires that each child under one year is provided a sturdy safe crib.

During a monitoring visit conducted on October 22, 2008, it was determined that an infant was placed to sleep in a portable crib that was positioned as a bassinet and the crib contained two blankets, a bottle and a diaper.

This rule violation was previously cited on June 26, 2007, January 25, 2008 and April 9, 2008.

The failure of the provider to maintain this requirement placed the children in care at risk of potential harm.



**BRIGHT FROM THE START**  
Georgia Department of Early Care and Learning  
10 Park Place, Suite 200, Atlanta, Georgia 30303  
(404) 656-5957

**Sonny Perdue**  
GOVERNOR

**Holly A. Robinson, Ed.D.**  
COMMISSIONER

September 30, 2008

**CERTIFIED MAIL #7006 0810 0003 5828 4666 AND REGULAR MAIL**

Ms. Felissa Dunton  
Family Day Care Home  
5909 Wellborn Trails Court  
Lithonia, Georgia 30038

**RE: Notice of Intent to Impose Civil Penalty**

***Dear Ms. Dunton:***

A monitoring visit was conducted on April 9, 2008, at your Family Day Care Home located at 5909 Wellborn Trails Court, Lithonia, Georgia, 30038. It was determined during the on-site visit made on April 9, 2008, that rule violations previously cited continued to exist. The rule violations, which were previously cited on June 26, 2007, and January 25, 2008, jeopardized the safety of children in care. An office conference was conducted with you on February 26, 2008, to discuss the violations and improvement actions. It was determined during the on-site visit made on April 9, 2008, that rule violations occurred which seriously affect the safety of children in care and demonstrate an unwillingness and /or reckless disregard for the physical and mental health and safety of children in care. The rule violations for which Bright from the Start: Georgia Department of Early Care and Learning (Bright from the Start) is imposing a civil penalty are attached hereto as Exhibit "A" and incorporated in this Notice by reference.

Based on your continued noncompliance with Rules and Regulations as set forth in this Notice, you are hereby notified of the intent of Bright from the Start to impose a civil penalty in the amount of \$299.00. Bright from the Start's legal authority for imposition of a civil penalty is found in O.C.G.A. Sec. 20-1A-4 (2) & (5), and 20-1A-11(b)(1)(A), and Bright from the Start's Rules for Family Day Care Homes, Chapter 290-2-3 of the Official Compilation of the Rules and Regulation of the State of Georgia.

You are also advised that the failure to correct and maintain compliance with these rules may result in further adverse action, which could include the revocation of the Certificate of Registration to operate your family day care home and could also include the imposition of daily fines for each day the violations continue. Licensure staff will conduct a follow-up visit to determine compliance with the rules and regulations.

You have the right to appeal the decision to impose this civil penalty by filing a written request for an administrative hearing before an Administrative Law Judge with the Office of State Administrative Hearings. You also have the opportunity to show in writing why this civil penalty should not be imposed. The request for a hearing and/or statement as to why the civil penalty should not be imposed must be made in writing within ten (10) days of receipt of this Notice addressed to:

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**J. Ashley Peacock  
Chief Legal Officer  
Bright from the Start  
Georgia Department of Early Care and Learning  
10 Park Place South, Suite 200  
Atlanta, Georgia 30303**

A hearing request stays or suspends the imposition of the civil penalty.

If you do not appeal this action within ten (10) days of receipt of this Notice, the decision to impose a civil penalty will become final. Payment of the civil penalty, preferably by certified check or money order, would then be expected within thirty (30) days of receipt of this Notice. The certified check or money order should be made payable to the Bright from the Start: Georgia Department of Early Care and Learning and mailed to me at the above address. Complete the enclosed Request for Taxpayer Identification Number and Certification and return the form with your certified check or money order. If you do not pay the penalty as finally determined by Bright from the Start, (1) the registration to operate the family child care home may be revoked; (2) a civil lawsuit to collect the penalty may be brought against the licensee by the Attorney General or his designee; or (3) another civil penalty may be imposed.

Sincerely,

Justine Strickland  
Assistant Commissioner for Child Care

cc: J. Ashley Peacock  
Jackie Romain  
Mona Jackson  
Errol Briggs  
Walker Solomon  
Renee Parlier  
Sara Parks  
Rukiya Thomas  
Janet Goggins  
State File

List of Rule Violations for:

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5909 Wellborn Trails Court  
Lithonia, Georgia 30038

**Rule 290-2-3-11(2) (f)** requires that poisons, medicines, cleaning and other hazardous materials be in locked areas or inaccessible to children.

During a monitoring visit conducted on April 9, 2008, the consultant observed that the children had access to hazardous items such as pet training spray and odor eliminator.

This rule violation was previously cited on June 26, 2007, and January 25, 2008.

The repeated failure of the provider to maintain this requirement places the children in care at risk of potential harm.

**Rule 290-2-3-11(2)(h)** requires that the family day care home have one workable UL Approved smoke detector on each floor of the home.

During a monitoring visit conducted on April 9, 2008, the consultant determined that the provider failed to maintain a working smoke detector in the home.

This rule violation was previously cited on June 26, 2007, and January 25, 2008.

The repeated failure of the provider to maintain this requirement places the children in care at risk of potential harm.

**Rule 290-2-3-11(l) (k)** requires that animals be properly vaccinated and documentation of vaccinations maintained.

During the monitoring visit conducted on April 9, 2008, the consultant determined that the provider did not have documentation of vaccinations for one of two dogs.

This rule violation was previously cited on June 26, 2007, and January 25, 2008.

The repeated failure of the provider to maintain this requirement places the children in care at risk of potential harm.

**Rule 290-2-3-.07(5)** requires that children be supervised at all times by at least one adult.

During the monitoring visit conducted on April 9, 2008, the consultant determined that children were not supervised in that two children were left in the bathroom to change their clothes with the door closed.

This rule violation was previously cited on June 26, 2007, and January 25, 2008.

The repeated failure of the provider to maintain this requirement places the children in care at risk of potential harm.



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**Rule 290-2-3-.04(2)(a)** requires the provider to registration, employees prior to employment and all adults residing in the home to submit a criminal records check and retain copies on file.

During a monitoring visit conducted on April 9, 2008, it was determined that the provider did not have criminal records check for an adult that was present in the home and had access to the children.

This rule violation was previously cited on June 26, 2007, and January 25, 2008.

The repeated failure of the provider to maintain this requirement places the children in care at risk of potential harm.

**Rule 290-2-3-.19** requires that cribs be sturdy and safe with a tight fitting bottom crib sheet and a blanket that is tucked.

**AND**

**Rule 290-2-3-.12** requires that each child under one year is provided a crib.

During a monitoring visit conducted on April 9, 2008, it was determined that an infant was kept in an unsturdy crib that contained loose-fitting sheets and a blanket.

This rule violation was previously cited on June 26, 2007, and January 25, 2008.

The failure of the provider to maintain this requirement places the children in care at risk of potential harm.

**Rule 290-2-3-.08 ( 1 ) ( a )** requires the family day care home maintain a file for each child that includes the child's name, birth date, parents name, home and business addresses and telephone numbers.

During a monitoring visit conducted on April 9, 2008, it was determined that the provider failed to maintain complete enrollment records for six of twelve children in care.

This rule violation was previously cited on June 26, 2007, and January 25, 2008.

The failure of the provider to maintain updated records places children at risk of harm.

**Rule 290-2-3-.08(1) (i)** requires the family day care home to maintain a file for each child that contains the name(s) of the person(s) to whom the child may be released.

During a monitoring visit conducted on April 9, 2008, it was determined that the provider failed to maintain complete release information for two of twelve children in care.

This rule violation was previously cited on June 26, 2007, and January 25, 2008.

The failure of the provider to maintain updated records places children at risk of harm.

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**Rule 290-2-3-.08(1)(b)** requires that the record for each child contain the name(s), address(es) and telephone number(s) of person(s) to contact in emergencies when the parent cannot be reached.

During a monitoring visit conducted on April 9, 2008, it was determined that the provider failed to maintain complete emergency contact information for one of twelve children in care.

This rule violation was previously cited on June 26, 2007, and January 25, 2008.

The failure of the provider to maintain updated records places children at risk of harm.

**Rule 290-2-3-.08(1)(b)** requires the family day care home to maintain a file for each child that includes the name, address and telephone number of the child's physician to contact in emergencies.

During a monitoring visit conducted on April 9, 2008, it was determined that the provider failed to maintain complete physician contact information for four of twelve children in care.

This rule violation was previously cited on June 26, 2007, and January 25, 2008.

The failure of the provider to maintain updated records places children at risk of harm.

**Rule 290-2-3-.08(1)(f)** requires the family day care home to maintain a file for each child that includes known allergies, physical problems, mental health disorders, mental retardation or developmental disabilities which would limit the child's participation in the program.

During a monitoring visit conducted on April 9, 2008, it was determined that the provider failed to maintain complete information on known allergies, physical problems, mental health disorders, mental retardation or developmental disabilities for two of twelve children in care.

This rule violation was previously cited on June 26, 2007, and January 25, 2008.

The failure of the provider to maintain updated records places children at risk of harm.

**Rule 290-2-3-.08(1)(c)** requires the family day care home to maintain a file for each child that includes evidence of age-appropriate immunizations or a signed affidavit against such immunizations.

During a monitoring visit conducted on April 9, 2008, it was determined that the provider failed to maintain current immunizations for three of twelve children in care.

This rule violation was previously cited on June 26, 2007, and January 25, 2008.

The failure of the provider to maintain updated records places children at risk of harm.

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List of Rule Violations for:

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5909 Wellborn Trails Court  
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**Rule 290-2-3-.08( 1 ) ( d )** requires the family day care home to obtain parental authorization at the time of a child's enrollment for emergency medical care when the parent is not available.

During a monitoring visit conducted on April 9, 2008, it was determined that the provider failed to obtain authorization for one of twelve children in care.

This rule violation was previously cited on June 26, 2007 and January 25, 2008.

The failure of the provider to maintain updated records places children at risk of harm.

**Rule 290-2-3-.05 (a) and (b) (c)** require the family day care home to permit access for Department representatives to all staff, children, parts of the premises and records for the purpose of inspection or investigation.

During a monitoring visit conducted on June 13, 2008, it was determined that the provider was not cooperative in allowing the consultant access to all parts of the family day care home and children's information.

This rule violation was previously cited on April 9, 2008.

The failure of the provider to cooperate with Department places children at risk of harm.

**Exhibit "A"**  
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